

50



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/695,794	10/24/2000	Roger S. Twede	10003591-1	3388

22879 7590 02/25/2005

HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

JEAN, FRANTZ B

ART UNIT	PAPER NUMBER
----------	--------------

2151

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/695,794

Applicant(s)

TWEDE, ROGER S.

Examiner

Frantz B. Jean

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-14, 19 and 20 is/are allowed.
- 6) ☒ Claim(s) 15-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

This office action is in response to the request for consideration filed amendment filed on 07/04/2004. Claims 1-20 are pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,901,286 issued to Danknick et al. hereinafter ("Danknick") in view of Hanson US patent Number 6,148,346.

With respect to claim 15, Danknick teaches a method in a peripheral device to provide access to a web server in the peripheral device from a network through a host [interpreted as the NIB that enables communication between the peripheral device and a network], comprising: directing a request to the web server, the request being received from a client on the network through the host (Fig. 1; col. 11, lines 24-44); and transmitting a response to the host to be directed from the host to the client via the network (col. 11, lines 44-55). Danknick, however, does not expressly and explicitly detail on a server that is located on a peripheral device. It must be noted that a server located on a peripheral device is well known in the art of networking as evidenced by Hanson abstract; col. 2; col. 4 lines 36 et seq and fig 2 for fast data transfer and retrieval. According to fig 2. It is clear that Hanson discloses a server that is locally or directly connected to a host as recited in the claimed invention. Therefore, One of ordinary skill in the art at the time of the invention would incorporated a server located on a peripheral device into Danknick communication's system because it would have allowed fast communication and data transfer and retrieval with Danknick host and client system (see abstract and col. 2).

With respect to claim 16, Danknick teaches the method of claim 15, and also directing the request through the NIB to the peripheral device. The connection between the NIB, which contains the HTTP server, and the copier (Fig. 1, 2, 3; col. 11, lines 2444), is a dedicated connection (internal or external). The connection is a dedicated link between the network, the HTTP

Art Unit: 2151

server, and the device and is equated with establishing a channel between the host and the peripheral device that is dedicated to the web server on the peripheral device; and directing the request received from the host via the channel to the web server.

With respect to claim 17, Danknick teaches a system in a peripheral device to provide access to a web server in the peripheral device from a network through a host, comprising: a processor coupled to a local interface (Fig. 1, 2, 3); a memory coupled to the local interface (Fig. 1, 2, 3; col. 5, lines 7-23); and peripheral listener logic stored on the memory and executable by the processor [interpreted as the ability to communicate (listen and respond) with another device] (Fig. 2, 3; col. 5, lines 7-57), the peripheral listener logic comprising: logic to direct a request to the web server, the request being received from a client on the network through the host (Fig. 1; col. 11, lines 24-44); and logic to transmit a response to the host to be directed to the client via the network (col. 11, lines 44-55). Danknick, however, does not expressly and explicitly detail on a server that is located on a peripheral device. It must be noted that a server located on a peripheral device is well known in the art of networking as evidenced by Hanson abstract; col. 2; col. 4 lines 36 et seq and fig 2 for fast data transfer and retrieval. According to fig 2. It is clear that Hanson discloses a server that is locally or directly connected to a host as recited in the claimed invention. Therefore, One of ordinary skill in the art at the time of the invention would incorporated a server located on a peripheral device into Danknick communication's system because it would have allowed fast communication and data transfer and retrieval with Danknick host and client system (see abstract and col. 2).

With respect to claim 18, Danknick teaches the system of claim 17, and also directing the request through the NIB to the peripheral device. The connection between the NIB, which contains the HTTP server, and the copier (Fig. 1, 2, 3; col. 11, lines 2444), is a dedicated connection (internal or external). The connection is a dedicated link between the network, the HTTP server, and the device and is equated with logic to establish a channel between the host and the peripheral device that is dedicated to the web server on the peripheral device; and logic to direct the request received from the host via the channel to the web server.

Claims 1-14 and 19-20 are allowed over the prior art of record.

Response to Arguments

With respect to applicants' argument, Examiner believes that the combination of Danknick and Hanson teaches all the limitations of the claimed invention. Furthermore, it must be noted that although the combination as presented above teaches the limitation "providing access to a web server in the peripheral device", however, it is not recited in the body of the claims.

Art Unit: 2151

It is only part of the preamble. Therefore, the examiner will not give weight to the arguments by applicant regarding this limitation. The other claims have been allowed.

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent No. 5,323,393 issued to Barrett et al. US Patent No. 5,699,494 issued to Colbert et al. US Patent No. 6,092,078 issued to Adolfsson US Patent No. 6,209,048 131 issued to Wolff US Patent No. 6,560,641 131 issued to Powderly et al.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz B. Jean whose telephone number is 571-272-3937. The examiner can normally be reached on 8:30-6:00 M-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571 272 3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2151

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frantz Jean



FRANTZ B. JEAN
PRIMARY EXAMINER